

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on December 21, 2004 at 7:08 p.m. after a 6:30 p.m. caucus session.

Mayor Carter presiding.

Mayor Carter led the Pledge of Allegiance to the United States of America.

The following members of the Council answered roll call: YEA Commissioner Mark Donnell, YEA Commissioner Harold Gambill, YEA Commissioner Jerrold Hesse, YEA Commissioner David Schilling, YEA Mayor David E. Carter.

Commissioner Schilling seconded by Commissioner Gambill moved to approve the minutes of the regular meeting held on December 7, 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Schilling moved to approve bills and payroll for the first half of December.

#### **Bills and Payroll for the first half of December**

##### **General Fund**

Payroll		\$	215,806.21
Bills		\$	<u>630,076.11</u>
	Total	\$	845,882.32

##### **Hotel Tax Fund**

Payroll		\$	1,343.23
Bills		\$	<u>2,421.86</u>
	Total	\$	3,765.09

##### **Festival Management**

Bills		\$	<u>8,961.97</u>
	Total	\$	8,961.97

##### **Insurance & Tort Judgment**

Bills		\$	<u>581,913.94</u>
	Total	\$	581,913.94

##### **Midtown TIF Fund**

Bills		\$	<u>5,355.00</u>
	Total	\$	5,355.00

##### **Capital Project Fund**

Bills		\$	<u>376.38</u>
	Total	\$	376.38

##### **Water Fund**

Payroll		\$	33,150.78
Bills		\$	<u>72,310.05</u>
	Total	\$	105,460.83
<b><u>Sewer Fund</u></b>			
Payroll		\$	28,624.20
Bills		\$	<u>75,168.13</u>
	Total	\$	103,792.33
<b><u>Cemetery Fund</u></b>			
Payroll		\$	2,400.94
Bills		\$	<u>934.37</u>
	Total	\$	3,335.31
<b><u>Health Insurance Fund</u></b>			
Bills		\$	<u>86,049.23</u>
	Total	\$	86,049.23
<b><u>Motor Fuel Tax Fund</u></b>			
Bills		\$	<u>537.48</u>
	Total	\$	537.48

Mayor Carter opened the floor for discussion. Commissioner Gambill questioned the CIPS bill for 1201 Marshall. Public Works Director David Wortman and Utilities Superintendent Chris Hartbank stated the bill was for the metal buildings south of the water department office building. Council discussed the usage of the office building.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Schilling seconded by Commissioner Gambill moved to adopt Special Ordinance 2004-1060, establishing the property tax levy for the fiscal year ending April 30, 2005.

**CITY OF MATTOON, ILLINOIS**  
**SPECIAL ORDINANCE NO. 2004-1060**

**AN ORDINANCE LEVYING TAXES FOR ALL CORPORATE PURPOSES FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, FOR THE FISCAL YEAR BEGINNING MAY 1, 2004 AND ENDING APRIL 30, 2005**

**BE IT ORDAINED** by the Mayor and City Council of the City of Mattoon, Coles County, Illinois:

**Section 1. Assumed Equalized Assessed Valuation.** The corporate authorities have assumed the Equalized Assessed Valuation of property within the municipality will increase from \$166,608,327 to \$173,265,654, four (4%) percent over the previous fiscal year.

**Section 2. Tax Levy.** The amount hereinafter set forth, or so much thereof as may be authorized by law, and the same are hereby levied upon all property subject to taxation within the municipality as that property is assessed and equalized for the current year, to defray expenses and liabilities for the City of Mattoon, Coles County, Illinois, for the fiscal year beginning May 1, 2004 and ending April 30, 2005. The total property tax levy extension is attached hereto and marked as “Exhibit A” and incorporated herein by reference.

**Section 3. Maximum Rates for Certain Services.** If the equalized assessed value of the municipality ends up lower or higher than the value anticipated by this ordinance, the Coles County Clerk is petitioned to levy the maximum property tax rate authorized by law for General Corporate, Police Protection, Fire Protection, Parks and Library purposes.

**Section 4. Tax Abatement for General Obligation Bonds. Since alternative revenue sources will be sufficient to pay debt service on the City of Mattoon’s General Obligation Bonds, the 2004 tax levy (to be received in 2005) is hereby abated for the following General Obligation Bonds:**

<u>Issue</u>		<u>Tax Levy Years</u>
<u>Bond Ordinance Number</u>		
Series 1998 Sewer Bonds	1998 thru 2016	Ordinance 98-4957
Series 1999 Police Facility Bonds	1999 thru 2017	Ordinance 99-4990
Series 2003 Water Refunding Bonds	2004 thru 2014	Special Ordinance 2003-928
Series 2003 Library Refunding Bonds	2004 thru 2011	Special Ordinance 2003-936
Series 2003A Pension Obligation Bonds	2004 thru 2012	Special Ordinance 2003-938

The levy for paying principal and interest on these bonds shall only be abated for the 2004 tax levy. In all other respects, the ordinances that authorized the foregoing bonds shall continue in effect according to the express terms thereof.

**Section 5. Amount to be Raised by Tax Levy.** The amount to be levied for each purpose is placed in a separate column under the heading “Amount to Raised by Tax Levy”, which appears over same being as follows, to wit:

	Amount	Amount To Be Received from	Amount To Be Raised By
	<u>Budgeted</u>	<u>Other Sources</u>	<u>Tax Levy</u>
<b>General Fund</b>			
General Government	714,468	714,468	-0-
Public Safety	7,802,420	7,282,624	519,796
Public Works	1,794,369	1,707,769	86,600
Health & Welfare	743,852	310,688	433,164
Culture & Recreation	673,267	543,318	129,949
Economic Development	140,136	140,136	-0-

Debt Service	2,872,107	2,872,107	-0-
Interfund Transfers	<u>1,237,804</u>	<u>1,237,804</u>	<u>-0-</u>
Total General Fund	\$ 15,978,423	\$ 14,808,914	\$ 1,169,509

Statutory Authority:

General Corporate Tax (65 ILCS 5/8-3-1): 0.25 Limit	433,164
Fire Protection (65 ILCS 5/11-7-1 ): 0.15 Limit	259,898
Police Protection (65 ILCS 5/11-1-3): 0.15 Limit	259,898
Parks (65 ILCS 5/11-98-1): 0.075 Limit	129,949
Street Lighting (65 ILCS 5/11-80-5): 0.05 Limit	<u>86,600</u>
	\$ 1,169,509

	Amount <u>Budgeted</u>	Amount To Be Received from <u>Other Sources</u>	Amount To Be Raised By <u>Tax Levy</u>
<b>Other Governmental Funds:</b>			
Library Fund	\$ 455,422	\$ 56,911	\$ 398,511
Motor Fuel Tax Fund	1,745,763	1,745,763	-0-
Hotel & Motel Tax Fund	247,855	247,855	-0-
Festival Management Fund	226,601	226,601	-0-
Insurance & Tort Judgment Fund:	937,588	868,188	69,400
Home Rehabilitation Grant Fund	189,000	189,000	-0-
Revolving Loan Fund	558,526	558,526	-0-
Capital Improvement Fund	817,307	817,307	-0-
Midtown TIF Fund	<u>105,288</u>	<u>105,288</u>	<u>-0-</u>
Total Other Governmental Funds	\$ 5,283,350	\$ 4,815,439	\$ 467,911

Statutory Authority:

Library (75 ILCS 5/3-1, 5/3-4, 5/3-7) 0.23 Limit	398,511
Insurance & Tort Judgments (745 ILCS 10/9-107) No Limit	<u>69,400</u>
	\$ 467,911

**Enterprise Funds:**

Water Fund	\$ 5,889,961	\$ 5,889,961	-0-
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Firemen's Pension (40 ILCS 5/4-118) No Limit	\$ 785,507
Policemen's Pension (40 ILCS 5/3-125) No Limit	<u>617,911</u>
	\$ 1,403,418

<b>All Fund Totals</b>	<b>\$ 36,145,979</b>	<b>\$ 33,105,141</b>	<b>\$ 3,040,838</b>
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Upon motion by Commissioner Schilling, seconded by Commissioner Gambill, adopted this 21st day of December, 2004, by a roll call vote, as follows:

Approved this 21st day of December, 2004.

City of Mattoon, Coles County, Illinois

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/s/ J. Preston Owen

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 22 , 2004.

Mayor Carter opened the floor for discussion. Commissioner Schilling questioned the levy rate. City Administrator Richard Underkofler reported the levy rate as the same as the previous year.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Gambill seconded by Commissioner Schilling moved to adopt Resolution 2004-2572, declaring that 1.917 acres of real estate at Lake Paradise is no longer necessary or required for use of the municipality and authorizing the management staff to negotiate for a contract proposal to sell this real estate to the Wabash Fire Protection District.

## **CITY OF MATTOON, ILLINOIS RESOLUTION NO. 2004-2572**

### **A RESOLUTION DECLARING THAT 1.917 ACRES OF REAL ESTATE AT LAKE PARADISE IS NO LONGER NECESSARY OR REQUIRED FOR USE OF THE MUNICIPALITY AND AUTHORIZING THE MANAGEMENT STAFF TO NEGOTIATE FOR A CONTRACT PROPOSAL TO SELL THIS REAL ESTATE TO THE WABASH FIRE PROTECTION DISTRICT**

**WHEREAS**, the City of Mattoon was a party to a lease with the Wabash Fire Protection District (hereinafter, the "District") for 1.917 acres at Lake Paradise that expired October 4, 1996; and

**WHEREAS**, said lease contained an option for the District to extend the term of the lease for an additional 19-year years on the same terms and conditions; and

**WHEREAS**, the Board of Trustees of the District desires to acquire a fee simple interest in said real estate.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** Pursuant to procedures prescribed by state statute (65 ILCS 5/11-76-4.1), a finding is hereby made by the City Council that the following described real estate at Lake Paradise is no longer necessary or required for the use of the municipality.

Part of the Southwest Quarter of Section 4, Township 11 North, Range 7 East of the Third Principal Meridian, more particularly described as follows:

Commencing at a PK nail at the Southeast corner of the Southwest Quarter of Section 4, Township 11 North, Range 7 East of the Third Principal Meridian, (recorded as Monument Record Book 1, Page 282), Coles County, Illinois; thence azimuth 0 degrees 21 minutes 25 seconds, (azimuths based on Illinois State Plane Coordinates East Zone), 1327.50 feet along the east line of the Southwest Quarter of said Section 4; thence azimuth 270 degrees 21 minutes 25 seconds, 40.00 feet to a point 0.16 feet east of an iron pin with #2645 cap and the Point of Beginning; thence continue azimuth 270 degrees 21 minutes 25 seconds, 100.39 feet to an iron pin with #3140 cap; thence azimuth 316 degrees 05 minutes 14 seconds, 211.12 feet to an iron pin with #3140 cap; thence azimuth 0 degrees 21 minutes 25 seconds, 230.83 feet to an iron pin with #3140 cap; thence azimuth 90 degrees 21 minutes 25 seconds, 247.76 feet to an iron pin with #3140 cap; thence azimuth 180

degrees 21 minutes 25 seconds, 382.00 feet to the Point of Beginning, containing 1.917 acres, more or less, all situated in Paradise Township, Coles County, Illinois.

**Section 2.** The real estate described in this Resolution is in the unincorporated territory of Coles County, where no zoning has been established. Its fair market value has been determined to be \$16,500 by a written appraisal prepared by a licensed real estate appraiser that is available for public inspection. A fire station owned and occupied by the Wabash Fire Protection District is the current use of the site.

**Section 3.** The management staff of the municipality is hereby authorized to negotiate for a contract proposal to sell said real estate to the Wabash Fire Protection District at a price not less than 80% of the appraised value. Any such contract negotiated shall be subject to ratification by the City Council.

**Section 4.** The city clerk is directed to publish a copy of this resolution at the first opportunity following its adoption and approval by the City Council.

Upon motion by Commissioner Gambill, seconded by Commissioner Schilling, adopted this 21st day of December, 2004, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill,  
Commissioner Hesse, Commissioner Schilling,  
Mayor Carter

NAYS (Names): None

ABSENT (Names): None

Approved this 21st day of December, 2004.

/s/ David E. Carter

David Carter, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien

Susan O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 22 , 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Donnell moved to adopt Resolution 2004-2573, declaring that real estate located at 2113 Marion Avenue, 2808 Cedar Avenue and 1500 Richmond Avenue is no longer necessary or required for use of the municipality, authorizing the management staff to solicit sealed bids for the sale of the property and

establishing a minimum sales price based upon 80% of its appraised value.

**CITY OF MATTOON, ILLINOIS**  
**RESOLUTION NO. 2004-2573**

**A RESOLUTION DECLARING THAT REAL ESTATE LOCATED AT 2113 MARION AVENUE, 2808 CEDAR AVENUE AND 1500 RICHMOND AVENUE IS NO LONGER NECESSARY OR REQUIRED FOR USE OF THE MUNICIPALITY, AUTHORIZING THE MANAGEMENT STAFF AND TO SOLICIT SEALED BIDS FOR THE SALE OF THE PROPERTY AND ESTABLISHING A MINIMUM SALES PRICE BASED UPON EIGHTY PERCENT OF ITS APPRAISED VALUE**

**BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** Pursuant to procedures prescribed by state statute (65 ILCS 5/11-76-4.1), a finding is hereby made by the City Council that the following described real estate is no longer necessary or required for the use of the municipality.

2113 Marion Avenue (PIN 07-2-12171-00) Lot 4 of Block 180 of Noyes Addition to the City of Mattoon. General Fund Asset. This is a 7,500 square foot lot located in a single family residential zoning district. It is now vacant after action was taken by the municipality to acquire and demolish an unsafe structure that existed on the parcel. The dimensions of the parcel are 50' by 150'. Its appraised value is \$6,000.

2808 Cedar Avenue (PIN 07-2-11206-00) Lot 10 of Block 117 of Noyes Addition to the City of Mattoon. General Fund Asset. This is a 7,000 square foot lot located in a single family residential zoning district. It is now vacant after action was taken by the municipality to acquire and demolish an unsafe structure that existed on the parcel. The dimensions of the parcel are 50' by 140'. Its appraised value is \$5,000.

1500 Richmond Avenue (PIN 07-1-03355-00), the south 80 feet of Lot 12 of Block 83 of the Original Town of Mattoon. General Fund Asset. This is a vacant 4,000 square foot lot that is located in a general commercial zoning (C4) district. The dimensions of the parcel are 50' x 80'. This lot is too small to comply with the zoning regulations of the municipality for stand-alone structure, but it could be of benefit to adjacent property owners. Its appraised value is \$4,000.

**Section 2.** The fair market value of the real estate described in this Resolution has been determined by a written appraisal prepared by a licensed real estate appraiser that is available for public inspection.

**Section 3.** The management staff of the municipality is hereby authorized to solicit sealed bids for the sale of this property at a price not less than 80% of its appraised value. The sale of this real estate may be authorized by a Resolution of the City Council after consideration of a report on the bids received.

**Section 4.** The city clerk is directed to publish a copy of this resolution at the first opportunity following its adoption and approval by the City Council.

Upon motion by Mayor Carter, seconded by Commissioner Donnell; adopted this 21st day of December, 2004, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill,

Commissioner Hesse, Commissioner Schilling,

Mayor Carter



NAYS (Names): None

ABSENT (Names):None

Approved this 22<sup>nd</sup> day of December, 2004.

/s/ David E. Carter

David Carter, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien

/s/ J. Preston Owen

Susan O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 22, 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Gambill moved to approve Council Decision Request 2004-395, approving a \$14,945 budget amendment to book a loan liability and to authorize the mayor to sign an amended installment promissory note held by Coles County Emergency Communications (CECOM) allowing for the addition of \$4,982 a year over three years, a total of \$14,945 at no interest, to CECOM who will provide funds required for the immediate acquisition of computer aided dispatch software for the Mattoon Police Department.

Mayor Carter opened the floor for discussion. Mayor Carter inquired as to the service this would provide. Commissioner Hesse responded with a centralized CAD (computer-aided design) system and would tie into the CECOM unit, providing a broader system to include ties with computers in the patrol cars.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Donnell moved to approve Council Decision Request 2004-396, approving the appointment of Brenda J. Smith to an Administrative Assistant position in the Police Department.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Schilling moved to approve Council Decision Request 2004-397, authorizing submission of an application for a FY 2004 Law Enforcement Block Grant for a \$20,000 project to purchase mobile data computers. This grant requires a 10% local matching share that would be appropriated in next year's budget upon grant approval.

Mayor Carter opened the floor. Mayor Carter reiterated that the City would only be required to match 10%. Commissioner Hesse replied affirmatively.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse described a meeting with U.S. Representative Tim Johnson and the Board of Fire and Police Commissioners, resulting in U.S. Representative Johnson's attempt to locate more grant money for the Police Department.

Mayor Carter seconded by Commissioner Schilling moved to approve Council Decision Request 2004-398, authorizing the mayor to sign an agreement with Cost Recovery Corporation for auditing services to determine whether the municipality may be being overcharged for gas, electric and telephone utility services at a fee based upon 50% of the actual savings achieved over a five year term.

Mayor Carter opened the floor. Council discussed the agreement.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter opened the floor for public discussion. Journal Gazette representative Herb Meeker requested a summary of savings for taxpayers with regard to the levy. Administrator Underkofler stated the City's rate should be the same as last year or have a savings due to those receiving a homestead exemption or senior reduction.

Mayor Carter seconded by Commissioner Gambill moved to recess to closed session at 7:24 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1), the setting of a price for sale or lease of property owned by the municipality (5 ILCS 120(2)(6), litigation affecting or on behalf of the City of Mattoon (5 ILCS 120/2(c)(11) and review of performance appraisal reports for management employees: Mike Dow, Street Superintendent and Beth Hettinger, Tourism Coordinator.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.  
Council reconvened from closed session at 8:27 p.m.

City Attorney/Treasurer J. Preston Owen informed the Council of an incident, involving a water meter where an individual, who had a water meter previously disconnected, acquired an approximate \$800 water bill due to an unauthorized reconnection, where the meter pit was filled with dirt, and where a large rock had been place over the meter's lid. Attorney Owen stated the individual would receive over a \$1,000 bill for the water, reconnection fee, labor to remove the dirt, and damage to the lock; therefore, the Council would probably receive telephone calls regarding the billing.

Commissioner Hesse described the reason for delaying the consideration of Special Ordinance 2004-1061, due to a citizen's complaint against Mr. Gordon, resulting with Mr. Gordon's acceptance to resolve the complaint.

Commissioner Schilling seconded by Commissioner Donnell moved to adopt Special Ordinance 2004-1061, approving a variance from building set back requirements to enable construction of a shop and show room building at 520 North 19<sup>th</sup> Street.

**CITY OF MATTOON, ILLINOIS**  
**SPECIAL ORDINANCE NO. 2004-1061**

AN ORDINANCE GRANTING A VARIANCE FROM BUILDING SET BACK REQUIREMENTS TO ENABLE CONSTRUCTION OF A SHOP AND SHOW ROOM BUILDING AT 520 NORTH 19<sup>TH</sup> STREET

**WHEREAS** there has been filed a written Petition by Dannie W. Gordon for a variance, respecting the property legally described as:

Lot Seven (7) and the north ten feet of Lot Eight (8) in W.S. Hinkle's Subdivision of Block Forty-eight (48) in the Original Town now City of Mattoon, Coles County, Illinois, commonly known as 520 North 19<sup>th</sup> Street, Mattoon, Illinois.

**WHEREAS**, said petition requests that a variance be granted pursuant to applicable ordinances of the municipality to provide only a 10-foot setback from Moultrie Avenue on the north side of a proposed shop and show room building that would be constructed at 520 North 19<sup>th</sup> Street; and

**WHEREAS** the zoning code requires a 25-foot front yard setback off each street in the C3 Service Commercial Zoning District where a building is constructed at the intersection of two streets; and

**WHEREAS** the Board of Zoning Appeals held a properly noticed public hearing on December 7, 2004 regarding petitioner's request for said variance; and

**WHEREAS** both the Planning Commission for the City of Mattoon, Coles County, Illinois, and the Zoning Board of Appeals for the City of Mattoon, Coles County, Illinois, have recommended that the requested variance be granted; and

**WHEREAS** the City Council for the City of Mattoon, Coles County, Illinois, deems that the recommended change is in the public interest.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted a variance of the front yard set back requirement from Moultrie Ave. as requested to enable construction of a building that would be constructed on said lots.

**Section 2.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 3.** This ordinance shall be effective upon its approval as provided by law.

**Section 4.** The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Commissioner Schilling, seconded by Commissioner Donnell, adopted this 21st day of December, 2004, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill,

Commissioner Hesse, Commissioner Schilling,

Mayor Carter

NAYS (Names): None

ABSENT (Names):None

Approved this 21st day of December, 2004.

/s/ David E. Carter

David E. Carter, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien

/s/ J. Preston Owen

Susan O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 22 , 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.  
Commissioner Schilling seconded by Commissioner Donnell moved to adjourn at 8:36 p.m.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

/s/ Susan J. O'Brien  
City Clerk